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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/671,462

09/29/2003

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CHEN3590/Em

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EXAMINER

ZHAO, DAQUAN

ART UNIT

PAPER NUMBER

2621

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/671,462

Applicant(s)

CHEN ET AL.

Examiner

Daquan Zhao

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 9/4/2007 have been fully considered but they are not persuasive.
2. Applicant argues, in pages 4-5 of the remark, Han fail to teach "shows a plurality of playback environment options on the screen of a computer device **when** the computer device is booted." "By showing the playback environment options **at boot-up**, the claimed invention enables the user to directly select the playback environment option needed for playing a multimedia file."
3. However this argument are not recited in the claim. Claim 1 only requires "said play back control program detecting execution of said audio/video playback program **after** the computer device has been booted;"

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han (US 2004/0,120,228 A1).

Regarding claim 1, Han teaches a method of controlling multimedia audio and video playback by installing an audio/ video playback program (e.g. paragraph [0029], “application program” sets the reproduction mode of the DVD), a playback control program (e.g. microcomputer 14 controls the overall operation of the DVD player), and a data storage medium in a computer device (e.g. DVD or memory 15 in figure 1, paragraph [0025]), wherein said audio/video playback program adjusts setup values for each of a plurality of playback setups under different playback environment options (e.g. [0033]-[0035], user sets (or changes) the reproduction mode values, wherein “the subtitle, audio language and audio format” in figure 3 corresponds to different playback environment) and saves the adjusted setup values into said data storage medium (e.g. paragraph [0028], the code (or value) for the reproduction mode is stored in the memory 15) as one of a plurality of setup groups of different natures for enabling the computer device to proceed with the steps of:

- said playback control program detecting execution of said audio/video playback program (e.g. paragraph [0033], the instruction of the microcomputer, which corresponds to “said playback control program”, retrieves “reproduction mode” recorded on the optical disc after the “play” command, wherein the “reproduction mode” is set by an application program, which corresponds to the “said audio/video playback program”, and the application program for the reproduction mode has to be executed for retrievals of the reproduction mode) after

the computer device has been booted (e.g. device must be booted before playing the DVD);

- when said playback control program detects the execution of said audio/video playback program, said playback showing a dialog box comprising a plurality of said playback environment options on a screen of said computer device (e.g. paragraph [0031]-[0032] and figures 3-4, the user menu, subtitle menu, audio language menu or the audio format menu corresponds to the dialog box);
- when one of said playback environment options is selected, the playback control program downloading the setup group corresponding to said playback environment option from said data storage medium (e.g. paragraph [0033]- [0034], the read-out recording information from the DVD corresponds to "downloading the setup group corresponding to said playback environment option from said data storage medium"); and
- determining whether or not a multimedia file is waiting to be executed and if yes (e.g. [0033], "the play command"), loading the setup value of the playback setup option from the data storage medium; wherein said audio/ video playback program plays the multimedia file according to the content of said setup value (e.g. paragraph [0036], carry out the reproduction of the DVD based on the selected recording information).

Han fails to specify "software program" in the microcomputer 14 and the processor 12, and computer device can be booted. The examiner takes official notice for software program within the microcomputer and the process 12 , and computer device can be booted. It would have been obvious for one ordinary skill in the art at the time the invention was made to have utilized the software to control the operation of the system and use the same setting option after the device is booted to reduce the amount of hardware and reduce the process time.

Regarding claim 7, Han teaches data storage medium is a memory installed in said computer device (e.g. figure 1, memory 15 is in the DVD player).

2. Claim 4 rejected under 35 U.S.C. 103(a) as being unpatentable over Han (US 2004/0,120,228 A1) as applied to claims 1 and 7 above.

See the teaching of Han above.

Regarding claim 4, Han fails to specify a notebook computer. The examiner takes official notice for the notebook computer. It would have been obvious for one ordinary skill in the art at the time the invention was made to have incorporate the system disclosed by Han in a notebook computer to the number of electronic device necessary for the users.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Han (US 2004/0,120,228 A1) as applied to claims 1 and 7 above.

See the teaching of Han above.

Regarding claim 5, Han fails to specify a desktop computer. The examiner takes official notice for the desktop computer. It would have been obvious for one ordinary skill in the art at the time the invention was made to have incorporate the system disclosed by Han in a desktop computer to the number of electronic devices necessary for the users.

4. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Han (US 2004/0,120,228 A1) as applied to claims 1 and 7 above.

See the teaching of Han above.

Regarding claim 6, Han fails to specify the memory is a hard disk drive. The examiner takes official notice for the hard disk drive. It would have been obvious for one ordinary skill in the art at the time the invention was made to have utilized a hard disk drive to increase storage space.

5. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han (US 2004/0,120,228 A1) as applied to claims 1 and 7 above.

See the teaching of Han above.

Regarding claims 8 and 9, Han fails to teach a movie and song saved in a CD. The examiner takes official for the movie and song saved in the CD. It would have been obvious for one ordinary skill in the art at the time the invention was made to have modified the system of Han disclosed to playback the movie and song saved in the CD to increase the storage space.

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All grounds of rejection are maintained. Accordingly, THIS ACTION IS MADE FINAL. See MPEG § 706.07 (a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136 (a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing data of this action. In the event a first reply is filed within TWO MONTHS of the mailing data of this action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period. Then the shortened statutory period will expire on the data the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing data of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the data of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daquan Zhao whose telephone number is (571) 270-1119. The examiner can normally be reached on M-Fri. 7:30 -5, alt Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Thai Q, can be reached on (571)272-7382. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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